

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DONNIE E. AND DELORES A. LOWERY)	
)	CASE NO.
COMPLAINANTS)	2005-00544
)	
V.)	
)	
JESSAMINE-SOUTH ELKHORN WATER)	
DISTRICT)	
)	
DEFENDANT)	

O R D E R

This matter is before the Commission on its own motion. On September 21, 2006, the Jessamine-South Elkhorn Water District filed correspondence indicating that water service had been restored to the Complainants' residence. On September 26, 2006, the Commission ordered the Complainants to submit, in writing, information which demonstrates that the case is not now moot. This information was to be submitted on or before October 3, 2006. The deadline for submitting said evidence has now passed and no information has been received by the Commission. Accordingly, the Commission finds that the dispute set forth in the complaint is now moot, that the hearing currently set for October 10, 2006 should be cancelled, and that this action should be dismissed without prejudice.

IT IS THEREFORE ORDERED that:

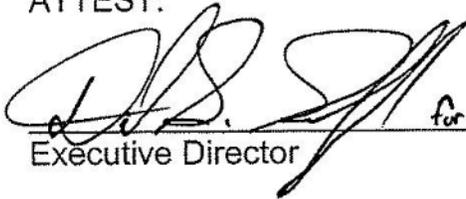
1. The hearing currently set for October 10, 2006 is cancelled.

2. This case is dismissed without prejudice as moot.
3. This is a final and appealable Order.

Done at Frankfort, Kentucky, this 6th day of October, 2006.

By the Commission

ATTEST:


Executive Director *for Beth O'Donnell*